

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
JACKSON DIVISION
CASE NO.: 1:23-cv-001143

PUCKETT ET., AL.

PLAINTIFFS

V.

JABBAR ET., AL

DEFENDANTS

RECEIVED

SEP 25 2023

Wendy R Oliver, Clerk
U.S. District Court
W.D. OF TN, Jackson

**MOTION FOR EXTENSION OF TIME IN ORDER TO EXECUTE
SERVICE OF THE SUMMONS AND THE COMPLAINT F.R.C.P. 4(m)**

Plaintiff's Carl Puckett "Pro-Se" and Marcella Puckett "Pro-Se" respectfully move the court for an order extending the time for the service of summons pursuant to F.R.C.P. 4(m) upon showing of good cause as set forth herein. The motion is being brought forth in accordance with the local rules of court 7.2 requiring parties to meet and confer. "Pro-Se" defendant Guerra opposes the Motion and there has been no response from "Pro-Se" defendant Milbrath.

INTRODUCTION OF FACTS

The Plaintiffs have been making good faith attempts at proper service of

summons by the appropriate legal authority of the county sheriff in each of the designated counties corresponding to the addresses given by defendants as their legal address. As with “pro-per” defendants Milbrath and Guerra, many of these locations are being revealed as “virtual offices” delaying the sheriffs efforts to effect service as the sheriff must exercise at least two attempts before they are authorized to substitute the service by leaving it with the person at the virtual office location as was the case with “pro-Se” defendant Guerra (Appendix E p4-6). Several of the other named RICO defendants in this case also give a virtual office address as their business address. RICO named co-defendants not yet served and as named on the return service of summons for “Pro-Se” defendant Guerra are assisting in the evading of the service and all were served with a request for waiver of service of summons which they have all refused.

The Sheriff in Orange County California has emailed the Plaintiffs twice indicating they are having similar difficulties effecting service on defendants Ain Jeem, Inc, Kareem Abdul Jabbar, and Deborah Morales (attached Exhibit 1). It appears that RICO co-defendants Kareem Abdul Jabbar DBA Ain Jeem, Inc and Deborah Morales DBA Iconomy have recently relocated to another location in Costa Mesa.

MEMORANDUM

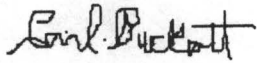
F.R.C.P. 4 (m) limits the time required for service of summons to be within 90

days from the date of the filing of the complaint. The complaint in this case was filed on July 21, 2023. Since that time Plaintiffs have expended a large amount of fees to effect the services of the summons through each of the appropriate sheriffs offices corresponding to the addresses known belonging to the defendants. The majority of these offices and locations are being discovered as “Virtual locations” which extends the amount of time the sheriff must take to effect service. Plaintiff’s believe defendants Axencis, Inc. Chris Stavro, and Ralph Schoenfelder operate from a virtual office in Delaware which permits lawful service on the registered agent of their virtual location after 2 attempts, and defendant Arthur Weaver had been operating from a virtual office in Tampa Florida and the virtual office of “Pro-Se” co-defendant Guerra. Additionally, each of the defendants refused to waive service of summons and have been taking steps to evade the service of the summons. F.R.C.P. 4(m) permits the Court to extend the limit of time required for service of summons upon showing of good cause by the Plaintiff’s.

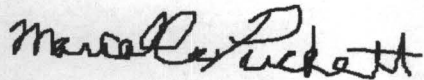
WHEREFORE, Plaintiff’s Pro-Se respectfully moves the court based upon showing of good cause for an order extending the limit of time for service of summons by 60 days extending the deadline to 12/21/23.

Respectfully Submitted,

Executed 9/19/23



Carl Puckett Plaintiff "Pro-Se"



Marcella Puckett Plaintiff "Pro-Se"